

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Art Unit: 3723  Examiner: Unassigned   |  |  |                  |  |  |  |  |  |
|--|--|--|------------------|--|--|--|--|--|
|  |  |  | G<br>A<br>ISHING |  |  |  |  |  |
| RESPONSE TO NOTICE TO FILE MISSING PARTS   |  |  |                  |  |  |  |  |  |
| arts   |  |  |                  |  |  |  |  |  |
|  |  |  |                  |  |  |  |  |  |
| Applicant hereby responds to the Notice to File Missing Parts of Application dated June 17, 2004.                |  |  |                  |  |  |  |  |  |
| The items checked below are appropriate:   |  |  |                  |  |  |  |  |  |
| Status of Applicant  |  |  |                  |  |  |  |  |  |
| This application is on behalf of other than a small entity or a small entity.                                    |  |  |                  |  |  |  |  |  |
| Documents Submitted Herewith   |  |  |                  |  |  |  |  |  |
| ence Submission: CRF) n: opies); or of above copies cation Parts of Application ement and Substitute Application |  |  |                  |  |  |  |  |  |
|  |  |  |                  |  |  |  |  |  |

| 3. | Fees   |                                     |   |               |             |          |  |  |  |
|----|--|-------------------------------------|---|---------------|-------------|----------|--|--|--|
|    | Application Filing Fee   |                                     |   |               |             |          |  |  |  |
|    | <ul> <li>a.  No application filing fee due</li> <li>b.  Application filing fee due in amount calculated below:</li> </ul>  |                                     |   |               |             |          |  |  |  |
|    |  | APPL                                | ICATION FEES  |               |             |          |  |  |  |
|    | BASIC FEE  |                                     |   |               | \$ 770.00   |          |  |  |  |
|    | CLAIMS   | NUMBER FILED                        | NUMBER EXTRA  | RATE          |             |          |  |  |  |
|    | Total Claims   | 20 -20=                             |   | x \$18.00     | \$          |          |  |  |  |
|    | Independent Claims   | 1 - 3=                              |   | x \$86.00     | \$          |          |  |  |  |
|    | Multiple Depende   | ent Claims(s) if ap                 | plicable  | +\$290.00     | \$          |          |  |  |  |
|    |  |                                     | Total of above ca                                       | lculations =  | \$ 770.00   |          |  |  |  |
|    | -  | Reduction by :                      | 50% for filing by sr                                    | nall entity = | \$( )       |          |  |  |  |
|    |  |                                     | Fee Alre  | eady Paid =   | \$(0.00)    |          |  |  |  |
|    |  |                                     |   | Fee Due =     | \$ 770.00   |          |  |  |  |
| 4. | 4. Late Filing of Oath or Declaration Surcharge Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for   other than a small entity or   a small entity. |                                     |   |               |             |          |  |  |  |
|    |  |                                     |   | Fee           | Due :       | \$130.00 |  |  |  |
| 5. | Non-English Spe  | cification Surcha                   | arge  |               |             |          |  |  |  |
|    | Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.  |                                     |   |               |             |          |  |  |  |
|    |  |                                     |   | Fee           | Due :       | \$ 0.00  |  |  |  |
| 6. | Extension of Tim   | ıe                                  |   |               |             |          |  |  |  |
|    | Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$110.00.   |                                     |   |               |             |          |  |  |  |
|    | conditional  | petition is being ave inadvertently | extension of time<br>ng made to pro<br>overlooked the n | vide for the  | e possibili | ity that |  |  |  |

**Fee Due** \$ 0.00

#### 7. Total Fee Due

The total fee due is:

| Application Filing Fee               | \$7 | 70.00 |
|--------------------------------------|-----|-------|
| Late Filing of Declaration Surcharge | \$1 | 30.00 |
| Non-English Specification Surcharge  | \$  | 0.00  |
| Extension of Time Fee                | \$  | 0.00  |

Total Fee Due \$900.00

## 8. Fee Payment

Attached is a check in the sum of \$ .

Charge Account No. 12-1216 the sum of \$900.00. A duplicate of this transmittal is attached.

## 9. Fee Deficiency

If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Jeremy (M.) Jay, Reg (No. 33,587

LEYDIG, VOIT & MAYER

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Washington, DC 20005-3960 (202) 737-6770 (telephone)

(202) 737-6776 (facsimile)

JMJ/maa

Missing Parts Response (Revised 2/10/04)



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Sox 1459 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/814,590

**LEYDIG VOIT & MAYER, LTD** 

WASHINGTON, DC 20005-3960

700 THIRTEENTH ST. NW

04/01/2004

Wilfried Ensinger

403033

**CONFIRMATION NO. 5883** 

**FORMALITIES LETTER** 

OC0000000129818861

Date Mailed: 06/17/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/18/2004 HDEMESS1 00000057 121216

23548

SUITE 300

10814590

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 02 FC:1051

770.00 DA 130.00 DA

Filing Date Granted

#### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$900 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE